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Alicia M. Hilton

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ALEUT EPITAPH AT FUNTER BAY: HUMAN RIGHTS AND CONSTITUTIONAL RIGHTS VIOLATIONS AT U.S. INTERNMENT CAMPS

By: Alicia M. Hilton¹

The worn wool fabric still smelled like her son. Haretina tore open the seam of Ermel's warmest shirt. The white men who took Ermel had not spoken a word, just looked at her like she was lower than a mangy cur. Did they really believe it was her fault that Ermel had died? She had begged for food, begged for a doctor.

Outside the old cannery, the wind was whistling so loud it sounded like it was going to tear off the roof. With every gust, the grimy window shook. Haretina knew the fire in the little stove would die before nightfall. She bit her lip and willed herself to stop crying. She knew she should be grateful to be alive, but she felt desperate. Haretina had stopped counting the number of days she had been forced to live in the Funter Bay Internment Camp. There were twenty-six people crammed into a room that was fit for four. No running water. No place to bathe or wash clothes. No privacy. Nothing left from home but the clothes on her back and the needle she had hid inside her stocking.

Maybe she should have fought the American soldiers who had ordered her to board the ship. The Unangan elders had believed that the white men would protect her and the other villagers from Japanese invaders. She knew it was a sin, but Haretina wished Ermel had died when the Japanese bombed Dutch Harbor. At least then Ermel would not have suffered.

A rat was foraging in the corner, but she kept sewing. Haretina's fingers were so cold that she barely felt the pain when she stuck herself with the needle. At home on Unalaska Island, she was a weaver. Her skill as a seamstress had deserted her when she needed it most. Each ragged cough from the cot beside her made her work faster.

Her only son was dead, buried in the grove behind the cannery. Should she feel comforted knowing his body lay in the frozen mud next to her sister? Haretina gritted her teeth and jabbed her needle through the wool. Tears would solve nothing. Rage would give her strength.

Haretina had not seen her husband in three months. Did not know if he lived. She did not believe the man with the yellow beard who said her husband had sent no letters. Maybe they did not want her and the other women to know how bad it was for their husbands who were taken away to hunt the seals. Maybe he was dead, rotting with the seals that were stripped of their fur.

All Haretina had left in the world was her niece, Mavra. There would be no doctor for Mavra, just like there had been no doctor for Ermel. Would the little girl still be breathing come morning?

Haretina had no scissors, so she used her teeth to cut the thread after she'd finished stitching the makeshift blanket, then she set aside the needle. Mavra was shivering when she stripped off her nightdress, but the toddler was drenched with sweat. She wrapped the blanket she had made from her dead son's shirt around Mavra. As she rocked her niece, she wondered, how could people treat other humans like they were worth less than a dog?

Nearly nine hundred Aleut Americans were forced to live in internment camps during World War II. The preceding story about Haretina's internment is fiction, but it was inspired by a document in the U.S. National Archives.² The Unangan who were evacuated endured horrific hardships at Funter Bay and other internment camps.³ Awareness of the appalling, long-term consequences of human rights violations has increased, but inadequate attention has been focused on injustices perpetrated against the Unangan.⁴ The

June 1942 Japanese attack on Dutch Harbor in Alaska prompted the United States government to order the evacuation of the Pribilof and Aleutian Islands.⁵ Some white residents were permitted to stay at their homes, but all of the Unangan were ordered to board ships that would take them 1,500 miles away to internment camps in Southeast Alaska.⁶ The rationalization for evacuation was to protect the islands from falling under Japanese control, and to protect the evacuees from being captured by the Japanese.⁷ None of these evacuated U.S. citizens were suspected of treason or disloyalty, but they were treated worse than some prisoners of war.⁸

Approximately one in ten of the Aleut evacuees died in the internment camps.⁹ The internment camps were abandoned canneries, an abandoned gold mine camp, and an abandoned herring and whaling saltery.¹⁰ They were vermin-infested with no electricity, no indoor plumbing, and inadequate heat.¹¹ In these unsanitary, over-crowded conditions, diseases spread quickly, and many evacuees were denied medical treatment.¹² Food was scarce, and some evacuees starved to death. When the survivors were finally permitted to leave the camps and return to their island villages after more than three years of internment, many discovered that their homes had been burned or looted by American soldiers.¹³

Why are human rights violations that were perpetrated more than seventy years ago relevant? The United States government currently operates internment camps. Detainees are supposed to be treated humanely and housed in safe environments, but there are disturbing similarities between WWII internment camps and current military policies for internment and resettlement operations. Due process and the Constitution do not protect American citizens who live within the United States from involuntary internment. United States military policies on evacuation, internment and resettlement are outlined in the Army Field Manual 3-39.40, *Internment and Resettlement Operations*.¹⁴ Though most of the 329 page Field Manual focuses on operations conducted outside the United States, the document includes guidelines about the treatment of American civilians on U.S. soil.¹⁵

In the event of a natural or man-made disaster, a terrorist attack, or other threat to National Security, current U.S. government policies give the

military the power to compel American citizens to leave their homes and live in internment camps.¹⁶ The Field Manual describes procedures for capture, initial detention, screening and confinement of potential detainees, and the rehabilitation of military prisoners and detainees. To facilitate more efficient operations and reduced security costs, segregation measures can be implemented, such as separating juveniles from adults or housing detainees by gender.¹⁷

To quash unrest in internment camps in Iraq and other overseas locations, the U.S. military has employed Psychological Operations (PSYOPS) Officers.¹⁸ Violence in internment camps jeopardizes the health and safety of detainees and can endanger American soldiers. Methods employed by PSYOPS do not rise to the level of the intrusions committed by the Thought Police in George Orwell's dystopian novel *1984*,¹⁹ but some PSYOPS tactics are disturbing. PSYOPS Officers' duties include: "Identif[y]ing] malcontents, trained agitators, and political leaders within the facility who may try to organize resistance or create disturbances" and "[d]evelop[ing] and execut[ing] indoctrination programs to reduce and remove antagonistic attitudes."²⁰

The Field Manual acknowledges that "[t]he internment of civilians is a serious deprivation of liberty for the civilian population."²¹ Civilians have the right to appeal their internment, and a civilian internee is supposed to be "released by the detaining power as soon as the reasons which necessitated his internment no longer exist."²² The tribunals who conduct reviews that determine if and when civilians are released are composed of military personnel.²³

The human rights violations perpetrated at Funter Bay and other World War II internment camps are important reminders of the necessity of civilian checks on military authority over civilian populations.

(Endnotes)

¹ Law professor, essayist, poet and fiction writer. B.A. in Sociology, 1988, The University of California at Berkeley; J.D., 1997, The University of Chicago Law School; M.A. in Humanities, 2009, The University of Chicago. Professor Hilton is taking time off from full-time teaching to write a novel, essays, short stories, and poetry. Her work has been

published in Australia, Austria, Canada, India, Ireland, Japan, New Zealand, Russia, the United Kingdom, and the United States. In 2012 and 2011, she was an invited guest speaker at fourteen law schools: Rutgers-Newark, Duke, Vanderbilt, Baylor, University of Hawaii, Texas Wesleyan, University of Arkansas at Fayetteville, University of Arkansas at Little Rock, University of Memphis, University of St. Thomas, St. Mary's, Hamline University, University of Tulsa, and Barry University. Previously, she was a visiting scholar at Chicago-Kent College of Law and a visiting professor at DePaul University College of Law and the John Marshall Law School. Prior to practicing law and teaching law school, Hilton was an FBI Special Agent in New York. As an FBI Special Agent, she was a member of a foreign counterintelligence squad and also worked undercover in two long-term criminal cases, posing as a drug dealer with ties to organized crime. Her website is www.aliciahilton.com.

² Petition Protesting Conditions, Aleut Women, U.S. Fish & Wildlife Service ARC ID 2641505 (1942) available at <http://www.archives.gov/exhibits/documented-rights/exhibit/section3/detail/protest-petition.html>.

³ See JOHN C. KIRTLAND & DAVID F. COFFIN, *THE RELOCATION AND INTERNMENT OF ALEUTS DURING WORLD WAR II*, VOL. III 63 (1981-82) (discussing housing and conditions at Funter Bay) see also COMMISSION ON WARTIME RELOCATION AND INTERNMENT OF CIVILIANS, *PERSONAL JUSTICE DENIED* 339-341 (University of Washington 1997) (discussing poor sanitation and housing at Funter Bay) [hereinafter *PERSONAL JUSTICE DENIED*].

⁴ See Civil Liberties Act of 1988, Pub. L. 100-383, § 2 (1988) (describing the treatment of Aleuts in World War II internment camps, compensation for property damage, and other injustices suffered by internment camp survivors).

⁵ See *PERSONAL JUSTICE DENIED*, *supra* note 3, at 326-34.

⁶ See *id.* at 334.

⁷ See *id.* at 319-28.

⁸ See Ryan Madden, *The Forgotten People: the Relocation and Internment of Aleuts during World War II*, 16 AM. INDIAN

CULTURE & RES. J., No. 4 1992, at 55-76; see also KIRTLAND & COFFIN, *supra* note 3, at 63 (discussing conditions in the internment camps).

⁹ See *PERSONAL JUSTICE DENIED*, *supra* note 3, at 341, 358-59; see also Jennifer Sepez et al., *Unalaska, Alaska: Memory and Denial in the Globalization of the Aleutian Landscape*, 30 POLAR GEOGRAPHY 193, 200 (2007).

¹⁰ See Sepez, *supra* note 9, at 196.

¹¹ See *PERSONAL JUSTICE DENIED*, *supra* note 3, at 339-41, 347.

¹² See *id.* at 346, 351.

¹³ See *id.* at 328, 352-57.

¹⁴ DEPT. OF THE ARMY, *INTERNMENT AND RESETTLEMENT OPERATIONS*, FM 3-39.40 (2010), available at <http://info.publicintelligence.net/USArmy-InternmentResettlement.pdf>.

¹⁵ See *id.* at 1-4 ("Standards for humane treatment in this [field manual] are derived from the substantive provisions of the Geneva Conventions that provide for the protection of noncombatants, who deserve to be respected, and deserve to be protected at all times.").

¹⁶ See *id.* at 1-2 (explaining that certain groups must be segregated for various reasons, including their legal status).

¹⁷ See *id.* at 1-4.

¹⁸ See generally Peter J. Smyczek, *Regulating the Battlefield of the Future: The Legal Limitations on the Conduct of Psychological Operations (PSYOP) Under Public International Law*, 57 A.F. L. REV. 1, 1-2 (2005) (highlighting the importance of PSYOP to national security and describing its use as early as the Persian Gulf War and after September 11th).

¹⁹ See GEORGE ORWELL, *NINETEEN EIGHTY-FOUR* 5-7 (rev. ed. Penguin 2004) (describing the use of telescreens and other surveillance to identify people who might rebel against authority).

²⁰ See DEPT. OF THE ARMY, *supra* note 14, at 3-16.

²¹ *Id.* at 1-9.

²² *Id.*

²³ See *id.* (explaining that each review tribunal consists of three commissioned officers, lead by a senior officer).